

ORDINANCE NO. 97-60

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REVOKING THE AD VALOREM TAX EXEMPTION GRANTED TO ASTRALTECH AMERICAS, INC. BY ORDINANCE NO. 95-20; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach County approved and adopted Ordinance No. 95-20 entitled "Economic Development Ad Valorem Tax Exemption Ordinance - AstralTech Americas, Inc." on the 16th day of May 1995; and

WHEREAS, such Ordinance was adopted pursuant to Authority granted in Article VII, Section 3, the Constitution of the State of Florida and Section 196.1995, Florida Statutes, and Palm Beach County Ordinance No. 94-21 known as the "Economic Development Ad Valorem Tax Exemption Ordinance of Palm Beach County, Florida"; and

WHEREAS, AstralTech Americas, Inc. has failed to maintain the expansion of existing business as defined in Ordinance No. 94-21, as amended, throughout the five (5) year exemption period as required by Ordinance No. 95-20; and

WHEREAS, AstralTech Americas, Inc., has failed to file annual reports to the Board of County Commissioners and to furnish additional information requested by Palm Beach County as required by Ordinance No. 95-20; and

WHEREAS, Ordinance No. 94-21 authorizes revocation of an Ad Valorem Tax Exemption for failure to continue to meet the definition of a new business or an expansion of an existing business or failure to file the required annual reports; and

WHEREAS, Ordinance No. 95-20 empowers the Board of County Commissioners of Palm Beach County to revoke the exemption granted to AstralTech Americas, Inc. in the event AstralTech Americas, Inc. fails to satisfy the conditions set forth in such ordinance.

1 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

3 Section 1. TITLE:

4 This Ordinance shall be known as the "Economic Development  
5 Ad Valorem Tax Exemption Ordinance - AstralTech Americas Inc. -  
6 Revocation of Exemption".

7 Section 2. ENACTMENT AUTHORITY:

8 Ordinance No. 94-21 empowers the County to revoke Economic  
9 Development Ad Valorem Tax Exemptions should any entity awarded  
10 an Ad Valorem Tax Exemption fail to file an annual report or any  
11 other report required or fail to continue or meet the definition  
12 of a new business or an expansion of an existing business.  
13 Further, Ordinance No. 95-20 empowers the Board of County  
14 Commissioners of Palm Beach County to revoke, pursuant to  
15 Section 9 of Ordinance No. 94-21, as amended, the exemption  
16 granted therein.

17 Section 3. REVOCATION OF EXEMPTION/RECOVERY OF FUNDS:

18 The Board of County Commissioners hereby revokes the Ad  
19 Valorem Tax Exemption granted by Ordinance No. 95-20. Such  
20 revocation shall be effective December 31, 1997.

21 Section 4. REPEAL OF LAWS IN CONFLICT:

22 All local laws and ordinances in conflict with any  
23 provisions of this Ordinance are hereby repealed to the extent  
24 of such conflict.

25 Section 5. SEVERABILITY:

26 If any section, paragraph, sentence, clause, phrase, or  
27 word of this Ordinance is for any reason held by the Court to be  
28 unconstitutional, inoperative, or void, such holding shall not  
29 affect the remainder of this Ordinance.

30 Section 6. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

31 The provisions of this Ordinance shall become and be made  
32 a part of the Code of Laws and Ordinances of Palm Beach County,  
33 Florida. The sections of this Ordinance may be renumbered or  
34 relettered to accomplish such, and the word "ordinance" may be  
35 changed to "section", "article", or other appropriate word.



1            SECTION 7. EFFECTIVE DATE:

2            The provisions of this Ordinance shall become effective  
3 upon filing with the Department of State.

4            APPROVED and ADOPTED by the Board of County Commissioners  
5 of Palm Beach County, Florida, on this the 9 day of  
6 December, 1997.

7            DOROTHY H. WILKEN, CLERK  
8 Board of County Commissioners

9 By Linda C. Hickman  
10 DEPUTY CLERK

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

11 By Burt Aaronson  
12 Burt Aaronson, Chairman

12 APPROVED AS TO FORM AND  
13 LEGAL SUFFICIENCY

14 By: H. J. [Signature]  
15 County Attorney

16            EFFECTIVE DATE: Filed with the Department of State on the  
17 16th day of December, 1997, at \_\_\_\_\_.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, Clerk of the  
Board of County Commissioners, do hereby certify this to be a  
true and correct copy of the original filed in my office  
on 12/9/97  
DATED at West Palm Beach, FL on 12/30/97  
DOROTHY H. WILKEN, Clerk  
By: Phyllis A. [Signature] D.C.